

REMARKS

By this paper, claims 6 and 8 have been amended and claim 7 has been canceled. Claims 6 and 8-17 are pending.

In the outstanding Office action dated January 15, 2004, claims 6, 16 and 17 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 5 of U.S. Patent No. 6,074,398. In response thereto, Applicant has submitted herewith a Terminal Disclaimer which operates to disclaim the terminal part of the statutory term which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,074,398. It is believed that submitting such a Terminal Disclaimer operates to traverse the rejection of claims 6, 16 and 17 under the judicially created doctrine of obviousness-type double patenting as set forth in the outstanding Office action.

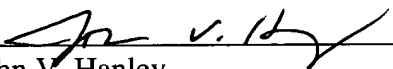
In the January 2004 Office action, claims 6, 14, 15 and 17 were rejected under 35 U.S.C. § 102(b) as being anticipated by Poncet (5,833,694) and claim 16 was rejected under 35 U.S.C. § 103(a) as being unpatentable under Poncet. Claims 7-13 were objected to as being dependent upon a rejected base claim but were deemed allowable if rewritten in independent form. Accordingly, independent claim 6 has been amended to recite the subject matter recited in canceled claim 7 in order to place the present application in a condition for allowance.

CONCLUSION

Applicant has attempted to respond to each and every rejection set forth in the outstanding Office Action. In view of the above amendments and remarks, Applicant respectfully requests that the application be reconsidered, the claims allowed and the application passed to issue.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP



John V. Hanley

Registration No. 38,171

JVH/kst

Fulwider Patton Lee & Utecht, LLP

6060 Center Drive, Tenth Floor

Los Angeles, CA 90045

Tele.: (310) 824-5555; Fax: (310) 824-9696

Customer No. 24201

49189.1